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ABSTRACT

This paper discusses why the Roman Catholic community should be united on the desirability of school choice without financial penalty. It describes what the Catholic motives should be and the political warrant that can be employed. It then asks whether there is sufficient will in the Catholic community to fulfill its proper motivations and exercise its warrant. It is argued that the school should be an extension of and support for the family effort in the ethical formation of children. The experience of American Catholic schools that developed in the latter part of the 19th century shows that, in a state of nature, when families are free to do so, and alert to the need, they will choose schools that are extensions of and supporters of family values. In the United States, an educational finance monopoly has created a structure that has resulted in a moral vacuum. Educational finance monopoly is the policy of allocating all tax dollars dedicated to education to state-owned public schools via monopolistic structures within each state and within the school districts. The cure is educational choice without financial penalty. It means that parents will be used to assign and distribute some or all of tax dollars dedicated to education. In order to bring religious values to the political arena, the Catholic community must enter the political arena as citizens, not as a church. The warrant for action is based on the belief that the believers-as-citizens' positions are as legitimate as that of any other political actors. (LMI)

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Catholics and Educational Choice: Motive. Warrant. Will?

Quentin L. Quade

At last year's NCEA conference I concentrated on the means to achieve educational choice, under the rubric of Getting There from Here. Such an effort has as a logical premise the presumption that Catholics and the Catholic school community are in general agreement on the attractiveness of choice.

The California results on Prop. 174 clearly established that Catholics were not united on that specific approach, and perhaps less united than one might have expected on the general desirability of school choice and parental freedom. Accordingly, I will today concentrate on why the Roman Catholic community *should* be united on the desirability of such choice without financial penalty. I will describe what I think should be the Catholic motives in this regard, and I will describe what I take to be the political warrant such motivated people can rightly employ.

Then I will ask whether there is sufficient will in that community to fulfill its proper motivations and exercise its warrant.

The Natural Purposes and Outcomes of Educational Policy

To begin this process I invite you to join me in what the social contractarians would have called "a state of nature." I invite you to join me in stripping away all the historical accidents that surround questions of American education and the family today, and begin with a fresh view of family, education, and ourselves in a pure state of nature. One of the reasons we have such difficulty in achieving rationality and justice in education is because, typically, our discussions begin as if, whatever else happens, at least the basic outlines of the *status quo* must be preserved. We end up captives of and tampering with a destructive system instead of replacing it. We are in a mess, and we have to fight through a great maze before we can even think clearly. Our vision is blurred by long habit, an inertia manipulated by vested interests tied to political power.

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Seen from a fresh vantage point the natural ends and objectives of educational policy will be quite clear. In a democratic society such as our own, those natural ends begin with the welfare of the individual. That is, we want from educational policy the best assurance we can get that the individual capacities of all citizens within society will be developed to the largest extent possible. We want and expect as a corollary the betterment which society itself will experience from the advancement and perfection of each individual within it. And as a companion of those two points we hope that the educational system and policy will help produce citizens able to work effectively within the contemporary economy and particularly within the conditions of a highly competitive international economic order. Those seem to be the natural objectives of educational policy if we look at it plainly, without any of the clouds which befog it as it exists in fact. Only if we focus on these *ends* can we rationally assess the alternative *means* thereto.

With such ends in mind we can see as well that there is a natural multiplicity of means, or methods and models of education, that can be used to achieve those ends. Many people can look at the objectives I have just enunciated and visualize alternative approaches to the achievement of those objectives. That would be true in a state of nature without question. We know that from experience and do not have to speculate about it. We know that as a matter of fact in a free society many different people fashion many different modes of achieving educational excellence and these modes are attractive to different segments of society. That is true in the United States, and it is true in every free society around the world.

The Family and Ethical Formation

The next thing I would like you to contemplate in our state of nature, is, again, logically obvious. We would expect a natural symmetry between what society expects of families in nurturing their children, on the one hand, and what society encourages and provides for on the other hand. We would expect, in other words, because logic would compel us to expect it, that there would be a symmetry in the relationship between family *responsibilities* and family *capacities*.

Proceeding, we expect the family to nurture children to maturity and independence in all of life's facets. We expect the family to nurture children in terms of their physical requirements, their

intellectual growth, their emotional stability and, particularly important for today's purposes, we expect that family nurturing to occur in the area of the ethical formation of children.

I ask you to share with me the realization that *some* type of ethical formation is inescapable. When we say so and so "lacks ethics," what we really mean is that his ethics are wrong, his values are misplaced. No one lacks ethics — but many may lack good ones. Pure selfishness is an ethic, for example — just not an edifying one. Every child, every person developing within a given society will take on a particular ethical form and shape and character. The only question is under what particular influences that shaping and forming will occur. The fact of it, I repeat, is inescapable. Because life is an ethical life. Life is a life of choosing. Life is a life of valuing things and making choices on the basis of the good or bad values that we have taken for our own. We are designed in such a fashion as to see all of life in terms of ought and ought not and to differentiate between alternative actions in terms of their relative goodness or badness, and that is an inescapable reality. What is less certain is the source of the values which will help us shape ourselves as we take on ethical maturity.

In that context one can see that the family is a font of the particular values which children may take on. The family is, in fact, the first and primary context in which children learn how to differentiate among alternative actions in terms of their goodness and badness. The family is an obvious and natural source of ethical formation for all children. Even as we realize that, we realize also that we are not talking about enslavement. We are not talking about the family as a straightjacket which has as its objective simply changing children into robots reflecting in some perfect sense the values and presumptions which the family brings to its formative tasks. Rather, we are talking about the fact that the children will be formed by something, they will be shaped by *some* source of values, and the question is whether the family, that agency which more than any other agency in society values and loves and wants the betterment of the child, will be the primary formative influence in that child's ethical formation. This, I repeat, is not to be confused with enslavement. It is not meant to preclude the ultimate freedom of the child, as he or she grows and matures, to test the values that they have received, to perfect those values and indeed to replace them if need be. It is rather simply to assert that the family is in the natural position to provide original ethical formation and without it the child

will be formed by other influences, much less certain in terms of their benevolence toward the child's welfare.

Home and School

Continuing on in our state of nature, the school would seem naturally to be an extension of and support for the family effort. At the very worst a school might be conceived of as neutral in its relationships to family values, but could never be rationally desired as an opponent or subverter of those values. It literally makes no sense to imagine parents consciously, willingly, freely choosing schools which will be in some fundamental sense juxtaposed to the value structure that they offer the child at home. But though parents never chose it, that is what has happened and is happening in much of American education. That is one of the most compelling reasons why we must change American educational funding policy to enhance parents' capacity to choose their child's school environment.

I want to illustrate this crucial point with a very concrete and familiar historical example, namely, the American Catholic schools that emerged in the latter part of the nineteenth century, the ancestors of the schools you represent. Those Catholic schools, which became a model for family-oriented and family-based education everywhere in the world, were fundamentally statements about the very point I have developed. Those Catholic schools were an assertion that it is appropriate, compellingly appropriate, to have schools manifest, reflect and support the fundamental values which the children are being exposed to and taught about in the family structure. Those American Catholic schools emerged because the American Catholic community became convinced that the public school structure in the United States was effectively employing a Protestant ethic and bringing it to bear upon the educational experiences of those youngsters who came before it. I am not calling this an evil plot, I am simply calling it a fact.

And once it was perceived as a fact, once the American Catholic community recognized the fact that the American public schools were in effect juxtaposing a Protestant ethic against the Catholic values the children received from Church and family, it became logical to offer an alternative educational program and that alternative educational program was the assemblage of American Catholic schools around the country. Similar Protestant-Catholic conflicts in Europe were resolved by allowing

religious multiplicity *within* the state system, while constitutional complications seemed to preclude that in America. But the tremendous generosity of the nuns and others who supported the Catholic schools in effect gave American Catholics their own private educational choice program at little or no cost to families, so that the financial penalty of choosing the Catholic schools was effectively eased. The American Catholic schools, thus, were a natural Church and family reaction to the cultural and ethical juxtapositions which the public schools thrust on them. This great "educational choice" was financially feasible because of the probably unique largess of the American religious community at that time. These people responded to the disjunction between the family on the one hand and public schools on the other by creating a school system much more harmonious with the family values which the youngsters were experiencing. Thus, this entire experience affirms my contention that in a state of nature, when they are free to do so and alert to the need, families will choose schools which are extensions of and supporters of family values and not subverters or opponents of those family values. It would be irrational to do otherwise.

The Sad Reality: Educational Finance Monopoly

Against that background what is the actual policy in fifty states of America? The actual policy is that we do, indeed, hold families responsible for the multi-faceted nurturing of their children — but we diminish their capacity to fulfill that nurturing responsibility in educational and ethical formation as we increasingly succumb to what I refer to as educational finance monopoly, or EFM.

Educational finance monopoly is simply the policy of allocating all tax dollars dedicated to education to state-owned public schools *via* monopolistic structures within each state and within the school districts. By contrast, educational choice without financial penalty would use parents as channels for assigning some or all of education-dedicated tax dollars.

What EFM has meant over time, as society has undergone changes and as the logic of EFM has worked itself out more and more thoroughly, is a growing moral vacuum in the schools under its influence, the public school networks; the weakening of the family as a defining source for the ethical formation of children throughout their formative lives; and a tightening financial vise on the independent alternatives which exist, as the persons who choose those alternatives pay higher and

higher taxes to support the public schools and higher and higher tuition to support the hard-pressed independent schools that they have chosen. EFM hurts the public schools as educational providers, by sheltering them from normal incentives to excel, and it hurts the independent alternatives by depriving them of parent-allocated educational funds.

The growing moral vacuum derives from a series of facts. Modern society has become increasingly diverse. It contains within itself more and more readily distinguishable social and cultural entities. The public schools thus have ceased to have a homogeneous society underpinning them and have, thus, a decreasing capacity to articulate a single ethical point of view satisfactory to all components of the educational stream flowing into them. The public schools more and more have less and less of a clear ethical warrant which they can bring to bear as context for their educational work and behavioral expectations. The upshot is that increasingly in the public schools a vacuum is created in terms of formal, overt ethical instruction and guidance, and that vacuum is filled by whatever ethical trends masquerade under secular slogans. What I have here described is not a personal failure of teachers or administrators, but a *policy* which creates a *structure* which, for the reasons given, results in a moral *wasteland*. A family that wants schools to carry on a Christian ethical formation supportive of that family's values, for example, cannot expect it in today's public schools operating under EFM.

The Cure and the Catholic Community

If the moral wasteland is one crucial symptom of the basic sickness which is educational finance monopoly, then what is the cure? The cure is educational choice without financial penalty. Educational choice without financial penalty as an alternative to educational finance monopoly simply means that parents will be used to assign and distribute some or all of tax dollars dedicated to education. Parents will do the choosing and thereby introduce genuine freedom of selection of educational framework for their children. Such choice, obviously, breaks monopoly, makes true comparison and competition possible, restores human incentives, makes rational budgeting possible, and puts parents' capacities on a par with their responsibilities.

How and why should Catholics be interested in such a sea change? Catholic interests are natural, many, and massive. American Catholic schools are being eroded and squeezed out of

existence in many places by EFM, and educational choice, by contrast, would give those schools a level playing field on which to compete. Catholic parents should have an obvious interest in having an educational policy which insures their rights to choose an educational environment harmonious with their own values. The whole Catholic community, quite apart from today's and tomorrow's parents, should have a concern for educational choice, and the vitality of the Catholic schools, for those schools have been a very substantial aspect of their heritage and Catholic presence in and impact on American society. They are also a great parish project when their role is understood. Such schools can be a clear statement of the faith community's self-understanding, a statement of who we are, formed and given to parents and students as a living expression of the Church's mission in the arena of education. Quite apart from such entirely legitimate intra-Church interests, the Catholics of the United States should have a common good dedication to educational choice because they can see that the contemporary arrangements have far more victims than beneficiaries. They can see, too, that there is no educational downside to educational choice. All parents, particularly poor parents who have no options except mandatory assignment methods within monopolistic school structures, would benefit directly from choice. Those concerned for general educational quality, for budget restraint, for control of bureaucratization and proliferation — all can see the advantages of educational freedom if they are encouraged to look.

There are, in other words, many natural constituencies to support educational choice. For political purposes, it is of great importance to recognize and understand these multiple constituencies. You will see yourselves in one or several of those groups. Those are the natural constituencies which will support educational choice powerfully when they see its excellence as an alternative to EFM and see its capacity to confront their *particular* concerns.

The Politics of Educational Policy

What you will understand as you think about these matters is that today's schooling battle is a political conflict, not an educational one, and the prize awaiting the victor is funding policy, not an educational approach. EFM *vs.* parents as conduits for assigning some or all tax dollars — that is the

actual shape of today's conflict. Public schools and teachers are not the enemy. EFM is the enemy. That is the essential reality which you need to contemplate and take with you.

EFM's primary defenders are not "bad guys," but they are vested interests with a material interest in the *status quo*. I am talking here about everyone who has a stake in the system, everyone who benefits by monopolistic financial controls, thus educational and bureaucratic unions, state and district educational superstructures, departments of public instruction and the like. These are the groups which have direct material benefit flowing from the maintenance of the *status quo*. Understandably, these groups seek to maintain that *status quo*. That does not make them evil, it does not make them perverse. It simply means that if your material self-interest is involved in something your inclination is to support that thing, unless you become convinced, as some public educators have, by the way, that the thing in question is sufficiently injurious to the general welfare that you should go against your private interests and support its reform. For the most part that is not what one expects from human nature.

In addition to these obvious vested interest supports for the current situation, there are other groups which have different reasons for maintaining things as they are. These include, for example, certain anti-religious organizations, which are chasing church-state bogeymen, imagining that any change away from EFM towards educational choice will advantage the churches, an objective they would not want to prosper. There are other groups which appear to be moved more by anti-Catholic than by anti-religious motivations. They also become supporters of EFM and opponents of educational choice, because they imagine educational choice to be a fake banner behind which is lurking the Vatican and its operatives. There are, of course, politicians tied to vested interests who derive much of their support, financial and otherwise, from those interest groups. And these political clusters within state legislatures, and the union and bureaucratic structures they work with, know how to employ the forces of inertia in society to maintain the *status quo*. Those forces of inertia are simply the forces of habit. We have maintained our current system for a long time, it has positive, nostalgic memories for many people, and these are reinforced by various myths about common schools, democratization, and socialization. The public schools as they once were, protected by "fair weather"

conditions of economic abundance, and relative social, cultural, and ethical homogeneity, had a chance even under EFM to plant their roots very, very deeply in the American psyche and thus to be relatively easily defended against change.

As to EFM's *defenses*, contrasted with its *defenders*, those defenses are the classic smoke screens that I have written a great deal about. There are in truth no good arguments for EFM, just as there are no downside arguments against educational choice without financial penalty. The long and the short of it is that no one wants directly to defend monopoly, and no one wants directly to deny parents' rights. As a result, instead of serious arguments supporting educational finance monopoly, there exists a variety of diversionary tactics that can best be understood essentially as smoke screens, or red herrings that have the effect of taking us away from the serious arguments. Those smoke screen arguments range from the church-state specters that I noted above; to the assertion that choice will "siphon dollars from public schools" — as if they were an end in themselves; to the charge that choice will abandon the neediest children — the very ones already abandoned under EFM who might in fact be rescued by choice; and so on. There is a standard passel of such easily refuted diversions. The smokescreen most germane to this Conference's theme of "Unity in Diversity" is the "myth of the common school." The essence of that diversion is that having a well-ordered, unified civil society somehow requires having monopoly-imposed, peas-in-a-pod, "common" schools for all citizens. This slogan is chanted endlessly, despite the fact that such places increasingly find it difficult to honor genuine social diversity; substitute an artificial commonality for a genuine synthesis; have led to radical two-tiered conditions and abandonment of the poorest of the poor; have routinely developed humanly destructive behavioral patterns, including rising crime incidences; *and* despite the fact that the experiences in America and other nations show, resoundingly, that civic virtue and community spirit are at least as well promoted by independent schools as by any common school system. God knows that American Catholic products of American Catholic schools have been exemplary citizens. The upshot: given the natural multiplicity of contemporary society, it is no doubt true to say that educational choice without financial penalty is best for *both* unity and diversity!

Catholics and Politics

Once we know the political reality, then we know the political solution: blow away the smoke and create countervailing political pressures, to break educational finance monopoly and replace it with educational choice without financial penalty, for Catholic purposes and for the general welfare. That is the job to be done. Now turning to the Catholic contribution to that task, I wish to discuss how we may most effectively bring religious values to the political arena. The concept of the Catholic believer-as-citizen kills the church-state dragon and opens the whole of political life to Catholic action. Let me review certain political realities that are particularly important for this point. The most vital fact is that politics is always an ethical doing. Whether good ethics or bad I am not discussing at the moment, but it has always to do with ethical choosing. That which politics exist for — the resolution of conflicts, the settling of policy by choosing among alternatives, the orienting of social activities, providing a humane context for citizens to exist within and conduct their otherwise personal business — inevitably involves ethical assessment and judgment. Politics is, in fact, simply a species of ethics.

What this means is that necessarily we bring to the political arena the grounds on which we evaluate things, the values from which we see the world, the ethical norms which incline us to one direction rather than another. This is unavoidable. To say "we cannot legislate morality" is to be either monumentally ignorant or monumentally manipulative — for there is nothing else *to* legislate. To say "we cannot impose our values on others" ignores the fact that *someone's* values will always be adopted in policy, that democratic processes smooth out rough edges, that "imposition" is a loaded term, and that the one who says "cannot impose" is, in effect, surrendering his values before the fact. That is easier, no doubt, than trying to convince others of the rectitude of one's beliefs.

Our faith teaches us to have the integrity to live the faith that we profess. We would say that our faith includes being keepers of our brothers. We would also say, because we are not blind to emerging facts around us, that modern technology and democratic politics extend the effective range of those who are our brothers. That is, modern technology makes it possible for us to impact on countless persons in our own country and around the globe; and democratic politics makes it possible for us to influence the policies which will determine *how* we impact on those people. If we bring those

two things together we see that being our brothers' keepers in modern democratic society is a much more far-reaching notion than it was in New Testament times, when the brothers for whom we had realistic responsibility would be a relatively small and immediate group.

This tells us we have obligations toward politics, and we enter the political arena as citizens, not as a Church. If I am a Catholic and rightly derive many of my fundamental values from the Catholic teachings which are before me, when I turn to the political arena and say "these are the things I want to see achieved" the fact that I may have a religious basis for saying it is a matter of complete indifference politically. It makes no difference whether our sources are philosophical or religious or historical or habitual, we are equally legitimate citizens and actors within the political arena. All politics involves values, and religion is one classic wellspring for the value formation of citizens. When citizens turn to the political arena they are indistinguishable in terms of the sources of the values they seek to have reflected in policy. The right political question is "what do they believe...how deeply do they believe it...how strongly are they prepared to act in support of it to achieve it as a political objective?" If for religious reasons I believe something which is politically pertinent, I will believe at the same moment that my view is worthy of political enactment exactly as much as any other view from any other source.

And thus we arrive at the sources of Catholic responsibility and motive to replace educational finance monopoly with parental freedom in educational selection, and the warrant for so acting. If we truly believe that for ourselves and society it makes a difference what kind of educational funding system we have, then the political realities of contemporary life and our own integrity as Catholics will help us realize that we have a responsibility for action on the educational funding front. That is our motive. And we have a warrant because our positions as believers-as-citizens are positions which are as legitimate as that of any other political actors within society. Do we have the virtuous will to exercise that warrant and achieve educational choice without financial penalty?